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Citibank, N.A., successor in interest to
13 Citibank (South Dakota), N.A.

14
15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA

17 OAKLAND DIVISION

18 BYRON D. DAUGHERTY,

19 Plaintiff,

20 vs.

21 EXPERIAN INFORMATION
SOLUTIONS, INC.;
22 TRANS UNION LLC;
EQUIFAX INFORMATION SERVICES
23 LLC;
CITIBANK (SOUTH DAKOTA), N.A.;
24 and DOES 1 through 30, inclusive,

25 Defendants.

CASE NO. C 11-01285-SBA

**STIPULATION TO STAY
DISCOVERY AND ENLARGE
TIME TO FILE PLAINTIFF'S
OPPOSITION TO
DEFENDANT CITIBANK'S
MOTION TO COMPEL
ARBITRATION; ORDER**

**Assigned to: Hon. Sandra
Brown Armstrong**

1 Plaintiff Byron D. Daugherty (“Plaintiff”) and Defendant Citibank, N.A.,
2 successor in interest to Citibank (South Dakota) N.A. (“Citibank”) hereby stipulate
3 to the following:
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5 1. WHEREAS Plaintiff filed the Complaint in this action on March 16, 2011;
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7 2. WHEREAS In response to the Complaint, Citibank filed a Motion to
8 Compel Arbitration on August 19, 2011;
9

10 3. WHEREAS Plaintiff’s deadline to oppose Citibank’s Motion to Compel
11 Arbitration was September 2, 2011;
12

13 4. WHEREAS On September 19, 2011, Plaintiff had not filed an opposition
14 to Citibank’s Motion to Compel Arbitration;
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16 5. WHEREAS Citibank filed a Reply in support of its’ Motion to Compel
17 Arbitration on September 19, 2011;
18

19 6. WHEREAS Plaintiff and Citibank do not wish to engage in discovery
20 prior to the Court’s ruling on Citibank’s Motion to Compel Arbitration;
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22 7. WHEREAS On October 12, 2011, Plaintiff and Citibank agreed to stay the
23 exchange of initial disclosures and all discovery between them until the Court rules
24 on the pending Motion to Compel Arbitration;
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1 8. WHEREAS On October 12, 2011, Citibank agreed to allow Plaintiff to file
2 an opposition to its Motion to Compel Arbitration on or before October 14, 2011
3 and Plaintiff agreed to allow Citibank to file an amended reply in support of the
4 Motion to Compel Arbitration on or before 21 days after Plaintiff files his
5 opposition.
6

7
8 9. WHEREAS There has been no prior request to the Court to extend
9 Plaintiff's time to file an opposition to Citibank's Motion to Compel Arbitration,
10 and the requested extension of time will have no effect on the case schedule;
11

12 10. THEREFORE Plaintiff and Citibank by and through their counsel, hereby
13 stipulate and agree that 1) the exchange of initial disclosures and all discovery
14 between Plaintiff and Citibank is stayed pending the Court's ruling on Citibank's
15 Motion to Compel Arbitration; 2) Plaintiff's deadline to file an opposition to
16 Citibank's Motion to Compel Arbitration is October 14, 2011; 3) Citibank's
17 deadline to file an amended reply in support of its' Motion to Compel Arbitration
18 will be 21 days after Plaintiff files his opposition.
19
20
21

22 IT IS SO STIPULATED.
23

24 DATED: October 14, 2011 Law Office of James J. Bergmann
25

26 By: /s/ James J. Bergmann
27
28

James J. Bergmann
Attorney for Plaintiff Byron D. Daugherty

DATED: October 14, 2011

Simmonds & Narita LLP

By: /s/ R. Travis Campbell
R. Travis Campbell
Attorneys for Defendant Citibank, N.A.,
successor in interest to Citibank (South
Dakota) N.A.

PURSUANT TO STIPULATION, IT IS SO ORDERD.

DATED: 10/21/11


SAUNDRA BROWN ARMSTRONG
U.S. District Judge